S.B. Criminal Misc. Bail Application No.2870/2006

Date : 12.07.2006.

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. Sanjay Mathur for the applicants.
Mr. V.R. Mehta, Public Prosecutor.

I have heard learned counsel for the applicants as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

The contention of learned counsel for the applicants is that no investigation is to be made from the applicants and they are in jail from long time. He submits that in the similar situated co-accused has already been enlarged on bail by this Court on 07.07.2006 in S.B. Criminal Misc. Bail Application No.2567/2006(Ujma Vs. State of Raj.). In the last, he prays that on the ground of parity, the present accused applicants may be enlarged on bail.

On the other hand, learned Public Prosecutor has opposed the bail application.

I have considered the submissions made before me and carefully perused the material available on record.

Taking into consideration the overall facts and circumstances of the present case, I think it just and proper to enlarge the accused applicants on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that the applicants (1) Nava son of Amar Damor (2) Ishwar son of Bhema Damor (3) Godhan son of Shiv Damor (4) Shalu son of Bhura Damor (5) Arjun son of Sardar Damor (6) Dhula son of Shalu Damor (7) Dhula son of Sardar Damor (8) Arjun son of Bhura Damor (9) Kessa son of Bhura Damor (10) Javara son of Punja Damor (11) Ramesh son of Jawara Damor (12) Aazmal son of Jawara Damor (13) Narain son of Valla Damor (14) Jaisa son of Valla Damor (15) Ramesh son of Punja Damor (16) Mohan son of Uda Damor and (17) Parwat son of Sawa Damor shall be released on bail in FIR No.118/2006 P.S. Dhambola, District Dungarpur, provided each of them executes a personal bond in the sum of Rs.30,000/- with two sound and solvent sureties

in the sum of Rs.15,000/- each to the satisfaction of learned trial court for their appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(SATYA PRAKASH PATHAK), J.